

Summary of Changes to Brownfields Guidelines

September 2008

Stipulated Remediation Grants (SRG)

These guidelines were updated to include/clarify the following:

- Made general language cleanup and miscellaneous consistency changes.
- Clarified that a SRG may not be used to remediate petroleum contamination unless the site also has hazardous substances contamination, and petroleum is not the primary contaminant of concern.
- Updated available fiscal year funding amount.
- Added a provision that a SRG grant commitment expires one (1) year after execution of grant agreement if no eligible costs are incurred and invoiced.
- Hardened application deadline and changed conditions for the submittal of supplemental application information (e.g., site access agreement).
- Clarified that any site for which SRG assistance is awarded must meet the Indiana definition of a brownfield (it was assumed, but not explicitly stated).
- Added as potentially eligible applicants, entities that would otherwise have an applicable exemption to liability but for the date on which they purchased the site (e.g., < January 11, 2002, a significant date for certain landowner liability protections).
- Clarified required documentation for asbestos abatement activities.
- Added clarification that a determination of funding eligibility does not release any party from obligations under any federal or state law or regulation.
- Added a provision that asbestos and/or lead paint abatement are only eligible SRG activities if there are also other Program-approved remediation activities taking place on the site.
- Clarified that the version of IDEM's Risk Integrated System of Closure will be that which is in effect at time Program approves grant activities.
- Clarified that Applicant can request disbursements be paid directly to consultant.
- Clarified that the deadline to demonstrate an investment match is two (2) years after the execution date of the grant agreement (rather than award date) and that any eligible investment made after grant award can go toward match requirement (but that no pre-award costs can be counted).
- Revised ranking criteria, including addition of new category on sustainability/environmental benefit/infrastructure reuse.
- Added Priority Funding as a funding option (if funding is available) for sites that present an imminent redevelopment opportunity, in addition to the factors required to be addressed to demonstrate an imminent need for funding. A 50% cost share from the Applicant or other entity involved in the project is required. Same opportunity is available under the SAG and PRG guidelines.